

Amend Section 42-701.2 to read:

42-701 INTRODUCTION TO WELFARE-TO-WORK

.1 (Continued)

.2 Definitions for Terms Used in This Chapter

(a) through (g) (Continued)

(h) ~~Reserved~~

(1) "Homework time," also known as "study time," means any required or recommended time for performing assignments, preparation, or other work for assigned education activities that is outside of classroom, laboratory, or internship hours.

(i) through (o) (Continued)

(p) (1) and (2) (Continued)

(3) "Pregnant person only," for purposes of Welfare-to-Work Program participation requirements, means an assistance unit that includes only one aided pregnant person as defined in Section 82-820.24.

(q) through (z) (Continued)

Authority cited: Sections 10531, 10553, and 10554, Welfare and Institutions Code.

Reference: Sections 10063, 10800, 11320, 11320.3(a)(1) and (b)(3)(A), 11322.6, 11322.8, 11322.85, 11322.9, 11324.6, 11324.8, 11325.21, 11325.23(a)(3)(C), 11325.25, 11331.5, 11495, 11495.1, 11495.12, and 13280, Welfare and Institutions Code; and 42 U.S.C. 603(A)(5).

Amend Section 42-708.7 to read:

42-708 WELFARE-TO-WORK 24-MONTH TIME CLOCK

.1 through .6 (Continued)

.7 Welfare-to-Work 24-Month Time Clock Extensions

.71 (Continued)

.72 Requesting Extensions

.721 An individual who has exhausted his or her Welfare-to-Work 24-Month Time Clock who still has time remaining on the CalWORKs 48-month time limit and is unlikely to meet CalWORKs federal standards may request an extension to the Welfare-to-Work 24-Month Time Clock.

(a) The individual may present evidence to the CWD that he or she meets any of the following circumstances:

(1) and (2) (Continued)

(3) The individual has achieved satisfactory progress in an education or treatment program, which may include adult basic education, such as a high school education or its equivalent, vocational education, or a SIP under Section 42-711.54, that has a known graduation, transfer, or completion date that would meaningfully increase the likelihood of the individual's employment. For purposes of this paragraph, a high school education or its equivalent is presumed to meaningfully increase the likelihood of employment.

(4) through (6) (Continued)

(7) The individual obtained a high school diploma or its equivalent while meeting CalWORKs minimum standards participating in activities described in Section 42-716.1, and needs additional time to complete an educational program or other activity described in Section 42-716.1 which would meaningfully increase the likelihood of employment.

.73 (Continued)

.8 (Continued)

Authority Cited: Sections 10553, 10554, 10604, Welfare and Institutions Code.

Reference: Sections 10553, 10554, 10604, 11253.3, 11320, 11320.3, 11322.8, 11322.85, 11322.86, 11322.87, 11454, 11454.2, and 11454.5, Welfare and Institutions Code; 45 CFR 260, and 42 U.S.C. 607(c) and (d).

Amend Section 42-709.2 to read:

42-709 CALWORKS FEDERAL STANDARDS

.1 (Continued)

.2 Hourly Participation Requirements to Meet CalWORKs Federal Standards

.21 through .23 (Continued)

.24 Adult in Pregnant Person Only Assistance Unit, as defined in Section 42-701.2(p)(3).

.241 Unless exempt from participation, an adult recipient in a pregnant person only assistance unit shall participate in welfare-to-work activities for an average of at least 30 hours per week during the month, of which an average of 20 hours per week must be in core welfare-to-work activities, as specified in Section 42-709.31.

.3 through .5 (Continued)

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 11322.6, 11322.8, 11322.85, 11325.21, and 11325.4, Welfare and Institutions Code; 42 U.S.C., Section 607(c)(1)(A), 42 U.S.C., Section 607(c)(2)(B), 42 U.S.C., Section 607(c)(1)(B), and 42 U.S.C., Section 607(c) and (d).

Amend Section 42-711 to read:

42-711 WELFARE-TO-WORK PARTICIPATION REQUIREMENTS

.1 through .3 (Continued)

.4 Hours of Participation

.41 Requirements to meet CalWORKs minimum standards for adults who have months remaining on their Welfare-to-Work 24-Month Time Clocks, as described in Section 42-708.

.411 through .413 (Continued)

.414 Adult in Pregnant Person Only Assistance Unit, as defined in Section 42-701.2(p)(3).

(a) Unless exempt from participation, an adult recipient in a pregnant person only assistance unit shall participate in welfare-to-work activities, described in Section 42-716.1, for an average of at least 20 hours per week per month.

.42 through .444(a) (Continued)

.5 Assignment of Recipients to Welfare-to-Work Activities

.51 and .52 (Continued)

.53 Initial Engagement Activities

.531 and .531 (Continued)

.533 Immediate Referral to Assessment

(a) and (b) (Continued)

(c) If the individual has not earned a high school diploma or equivalent, they shall be immediately assigned to an education program to do so. The individual shall be referred to assessment if the hours necessary to earn a high school diploma or equivalent are insufficient to fulfill the client's weekly hourly requirements as described in Section 42-711.4.

(d) If a participant subject to section 42-711.533(c) does not wish to participate in an education program to earn a high school diploma or equivalent, they shall continue to

participate in initial engagement activities and the development of a welfare-to-work plan. This decision by the participant shall be documented in writing in the welfare-to-work plan.

.534 through .536 (Continued)

.54 Self-Initiated Programs (SIPs)

.541 through .543 (Continued)

.544 If participation in a SIP, as determined by the number of hours required for classroom, laboratory, homework, or internship activities, is not at least the number specified in paragraph (a) or (b), the CWD shall require concurrent participation in work activities, pursuant to Sections 42-716.1(a) through (j) inclusive and in accordance with Section 42-711.5, to reach the hourly requirement.

(a) and (b) (Continued)

(c) Hours assigned to homework time shall be limited as described in Section 42-716.6.

.545 through .549 (Continued)

.55 Assessment

.551 Participants, except those excluded as provided in Sections 42-711.31, 42-711.557, and 42-711.558 and Section 42-719.111, shall be referred to assessment, if:

(a) through (e) (Continued)

(f) The participant was assigned to a program to earn a high school diploma or equivalent as described in Section 42-711.533(c).

.552 through .558 (Continued)

.559 Participants subject to section 42-711.533(c) and required to attend assessment for additional activities may begin participating in their education program prior to attending assessment or signing a welfare-to-work plan.

.56 through .582 (Continued)

.6 Welfare-to-Work Plan and Universal Engagement

.61 and .62 (Continued)

- .63 A participant shall take part in one or more welfare-to-work activities for, in accordance with the requirements for the Welfare-to-Work 24-Month Time Clock, as described in Section 42-708, or for CalWORKs federal standards as described in Section 42 709, the required minimum hours as specified in Sections 42-709.2 or 42-711.4, and as provided in the welfare-to-work plan.

.631 through .634 (Continued)

HANDBOOK BEGINS HERE

- .635 Example 1: An individual completes an assessment that states she is required to participate in the welfare-to-work program. She is in a one-parent assistance unit with a seven-year-old child and she has significant barriers to employment. In the assessment it is noted that she may have a learning disability, she has a substance abuse problem, and ~~she does not have a high school diploma~~ would benefit from job-related education. She meets with her caseworker after a learning disability evaluation has been completed and her welfare to-work plan is written, consistent with her assessment and learning disability evaluation. ~~taking~~ The plan takes full advantage of her Welfare-to-Work 24 Month Time Clock by having hours assigned for substance abuse services, ~~adult basic education~~ job skills training, and ~~sufficient study time to~~ accommodate reasonable accommodations for her learning disability/ies.

Examples 2, 3, and 4 (Continued)

HANDBOOK ENDS HERE

- .64 The plan shall be written in clear and understandable language and have a simple, easy-to-read format.

.641 through .643 (Continued)

- .644 If the CWD determines it to be appropriate and necessary for the removal of the participant's barriers to employment, an individual who lacks basic literacy or mathematics skills, a high school diploma or ~~general educational development certificate~~ equivalent as described in Section 42-711.533, or English language skills, shall be assigned to participate in adult basic education as ~~defined~~ described in Section 42-716.1(k).

.645 through .648 (Continued)

.65 (Continued)

.7 and .8 (Continued)

Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code; and SB 1569 (Chapter 672, Statutes of 2006).

Reference: Sections 11203, 11253.5(b), 11320.1, 11320.1(a), 11320.1(b), 11320.1(c), 11320.15, 11320.3, 11322.6, 11322.8, 11322.83, 11322.85, 11322.85(a)(2) and (3), 11322.86, 11322.87, 11324.8(a), (b) and (c), 11325.2, 11325.2(a), (b), and (c), 11325.21, 11325.22, 11325.23, 11325.23(a), (b), (c), (e), and (f), 11325.24, 11325.25, 11325.3, 11325.4, 11325.5, 11325.6, 11325.7, 11325.8, 11326, 11327.4, 11327.5, 11327.6, 11454, 13283, 15204.2 and .8, 16501.1(d) and (f), and 18945(a), Welfare and Institutions Code; Section 14005(c), Unemployment Insurance Code; 29 U.S.C. 3101(1) and 3102(7); and 42 U.S.C. 607(c)(1)(A), (c)(1)(B)(ii), (c)(2)(A)(i), and (d).

Amend Section 42-716.61 to read:

42-716 WELFARE-TO-WORK ACTIVITIES

.1 through .5 (Continued)

.6 Education Activities

- .61 An individual may be assigned supervised or unsupervised homework time as part of his or her welfare-to-work plan when assigned to participate in the following activities: adult basic education, job skills training directly related to employment, vocational education and training, education directly related to employment, and satisfactory progress in a secondary school or in a course of study leading to a certificate of general educational development, as described in Sections 42-716.1(k), (l), (m), (o), and/or (p) respectively, ~~may also be assigned supervised or unsupervised homework time as part of his or her welfare to work plan and participating in Self-Initiated Program as described in Section 42-711.54.~~

.611 and .612 (Continued)

.62 (Continued)

.7 and .8 (Continued)

Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: Sections 11253.5(b), 11265.1, 11265.2, 11325.23(a), 11320.3(b)(2), 11322.6, 11322.61, 11322.64, 11322.7, 11322.8, 11322.9, 11323.25, 11324.4, 11324.6(a), 11325.21(a) and (d)(1), 11325.22(b)(1), 11325.7(a), (c), and (d), 11325.8(a), (c), (d), and (f), 11326, 11327.5, 11450.5, 11451.5, 11454, and 11454.2, Welfare and Institutions Code; and Section 8358(c)(2), Education Code; 7 U.S.C. 2029(a)(1); 7 U.S.C. 2035; U.S. Department of Labor guidance on FLSA, with attached U.S.D.A., Food and Nutrition Service (FNS) guidance on an SFSP, dated May 22, 1997; Simplified Food Stamp Program approval letters from FNS to implement the provisions of an SFSP, dated May 5, 2000 and August 3, 2000.

Amend Section 42-750 to read:

42-750 SUPPORTIVE SERVICES

.1 Supportive Services

- .11 Necessary supportive services shall be available to every participant in order to participate in the program activity to which he or she is assigned or to accept or retain employment. If necessary supportive services are not available, the individual shall have good cause for not participating under Section 42-713.21. Supportive services shall include all of the following:

.111 through .113 (Continued)

.114 Diaper supportive service of thirty dollars (\$30) per month is provided to CalWORKs welfare-to-work or Cal-Learn participants to assist with diaper and associated diapering costs, including but not limited to, diaper wipes and diaper creams.

(a) Individuals who meet both of the following eligibility criteria are provided the diaper supportive service:

(1) Be required to participate, or participate voluntarily, in the welfare-to-work or Cal-Learn program, and be in good standing with program requirements or waiting to be engaged in program activities.

(A) Participants receiving post-aid and/or job retention services may be eligible for diaper supportive services.

(2) Have a qualifying child under 36 months of age at the beginning of the month over whom care and control is exercised by the participant.

(b) Participants may opt out of or back into diaper supportive services at any time, provided eligibility criteria are met. Such participants must provide their caseworker with a signed, written statement that they have opted out of, or back into, receiving diaper supportive services. If documented in the welfare-to-work plan, this will suffice as the signed request from the participant. As with other supportive services, CWDs shall notify participants of any changes to their supportive services in accordance with MPP Division 22, via a Notice of Action.

(c) If participants do not receive their diaper supportive service payment in time to reasonably access diapers before the start of their activity, then the participants shall have good cause for nonparticipation.

.1145 ~~A participant~~ Participants who has have personal or family problems that would affect the outcome of the welfare-to-work plan shall, to the extent available, receive necessary counseling or therapy to help ~~him or her and his or her family~~ them and their families adjust to his or her their job or training assignment.

(a) "To the extent available" means these services are available at no cost to the recipient or the county develops a written policy authorizing payment for personal counseling.

.2 Supportive Services Payments

.21 Payments for supportive services, except child care as described in Chapter 47-100, shall be advanced to the participant when necessary and desired by the participant so that the participant need not use personal funds to pay for these services.

.211 (Continued)

.212 Notwithstanding any other provision of Chapter 42-700, any participant in on-the-job training, grant-based on-the-job training, supported work, or transitional employment who remains eligible for aid shall be eligible for transportation, ~~and ancillary,~~ and diaper expenses as specified in this section.

.213 When a participant requests a hearing within the period of timely notification (see Section 22-072.5) to appeal a suspension, reduction, or termination of CalWORKs welfare-to-work supportive services or a change in the method of providing such services, the participant shall not be entitled to a continuation of CalWORKs welfare-to-work supportive services in the same amount or form pending the hearing decision. The participant shall be entitled to supportive services only at the level and in the form authorized by the county action under appeal.

.214 Diaper supportive service

(a) Diaper supportive service is a fixed payment to the welfare-to-work or Cal-Learn participant of thirty dollars (\$30) per child per month.

(b) CWDs, at their discretion, may provide diaper supportive services via electronic benefit transfer (EBT) or alternate

method (e.g. warrant or direct deposit), as provided in Section 16-325.1.

(c) For each qualifying child, payments may continue through the month in which the child turns 36 months of age.

(d) Receipts are not required for diaper supportive services.

.3 (Continued)

.4 Notice Requirements for Transportation, ~~and Ancillary,~~ and Diaper Support Services

.41 Participants shall be notified of specific arrangements for authorized transportation, ~~and ancillary,~~ and diaper supportive services through an appropriate Notice of Action (NOA) which shall be issued pursuant to the procedures specified in MPP Division 22.

.411 (Continued)

(a) through (e) (Continued)

.4142 NOAs are not required for the following types of supportive services actions:

(a) and (b) (Continued)

.42 (Continued)

Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: Sections 11320, 11320.3(f)(1), 11320.31(c), 11323.2, 11323.4, and 11325.23(d), Welfare and Institutions Code.

Amend Section 42-751.1 to read:

42-751 UNDERPAYMENTS AND OVERPAYMENTS FOR TRANSPORTATION,
 ~~AND ANCILLARY, AND DIAPER~~ SUPPORT SERVICES

.1 General Criteria

.11 The CWD shall take all reasonable steps necessary to promptly correct any overpayment or underpayment of transportation, ~~and ancillary, and~~ diaper supportive services payments to a recipient or a service provider including, but not limited to, all cases involving fraud and abuse, consistent with these regulations.

.12 Diaper supportive service is subject to underpayment no earlier than April 1, 2018.

.2 through .4 (Continued)

Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference: Sections 10063, 11004(g), (h), (i), (k), and (l), 11265.2, 11323.2, and 11323.4(b), Welfare and Institutions Code.